

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BARRY WHITE, JR.,

Plaintiff,

vs.

CITY OF ANTIOCH, *et al.*,

Defendants.

Case No.: 11-CV-4221 YGR

ORDER:

**(1) DIRECTING COUNSEL TO SUBMIT
ADDITIONAL DECLARATION IN SUPPORT OF
MOTION TO WITHDRAW AS ATTORNEY OF
RECORD FOR PLAINTIFF BARRY WHITE, JR.;
(2) SETTING COMPLIANCE HEARING RE:
COUNSEL'S SUBMISSIONS; AND
(3) SETTING FURTHER STATUS CONFERENCE**

The Court heard argument on the Motion of Counsel Jivaka Candappa ("Counsel") To Withdraw As Attorney of Record for Plaintiff Barry White, Jr. ("Plaintiff") on May 13, 2014. As set forth herein, the Court **ORDERS** Counsel to submit further information in support of the motion, and **SETS** a compliance hearing regarding the filing of that declaration. The Court also **SETS** a Further Status Conference regarding the progress of the related criminal actions.

I. FURTHER SUBMISSION AND COMPLIANCE HEARING ON MOTION TO WITHDRAW

The compliance hearing shall be set for Friday, **June 13, 2014**, at 9:01 a.m. in Courtroom 1. Counsel shall file the further information as stated herein no later than **June 6, 2014**. If the further information is satisfactory, the compliance hearing may be vacated. Otherwise, Counsel shall be required to appear. Appearance of all other parties is excused.

Counsel shall submit a declaration indicating: (1) he has spoken directly with Plaintiff about his case generally, answering his questions regarding the status of the proceedings; (2) he has discussed the delivery of any legal files to Plaintiff and other consequences of Counsel's withdrawal in this matter; or, alternatively, (3) the reasons why this has not occurred. The declaration shall also

list Plaintiff's contact address and phone number so that the Court may provide any further notices to Plaintiff. Counsel shall also submit proof of service of a notice to Plaintiff stating the effects of a withdrawal of counsel:

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

You will not have an attorney representing you. You may wish to seek legal assistance. If you do not have a new attorney to represent you in this action or proceeding, and you are legally permitted to do so, you will be representing yourself. It will be your responsibility to comply with all court rules and applicable laws. **If you fail to do so, or fail to appear at hearings, action may be taken against you. You may lose your case.**

If you do not keep the Court and other parties informed of your current address and telephone number, they will not be able to send you notices of actions that may affect you, including actions that **may adversely affect your interests or result in your losing your case.**

II. FURTHER STATUS CONFERENCE ON RELATED CRIMINAL PROCEEDINGS

The Court notes that this matter is currently stayed pending the resolution of the related criminal cases against Plaintiff Barry White, Jr., and now-dismissed plaintiff Demetrius Anderson. The Court **SETS** this case for a status conference regarding the progress of the criminal proceedings for Friday, **December 18, 2014**, at 9:01 a.m. in Courtroom 1. Plaintiff and Defendants shall each file a statement on the current status of the criminal proceedings no later than Friday, **December 4, 2014**. Personal appearances will not be required.

IT IS SO ORDERED.

Date: May 14, 2014


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE